

EXHIBIT A



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June 10, 2024

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801 S. Figueroa St, 15th Floor Los
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Re: Koron Lekeith Lowe v. County of Riverside, et al.
USDC Case No. 5:24-cv-00169-SSS-SHK

Dear Counsel:

It has come to my attention that there is a pending California Penal Code section 148(a)(1) charge against Plaintiff Koron Lowe ("Plaintiff") for the same events that give rise to this lawsuit. Accordingly, I write pursuant to Local Rule 7-3 regarding Defendant County of Riverside's request to stay all proceedings in the District Court, pending the resolution of the California Penal Code section 148(a)(1) charge against Plaintiff. If we cannot reach an agreement, I request that we conduct a Local Rule 7-3 telephone conference on **Wednesday, June 12, 2024 at 11:00 a.m.** discuss the issue.

On January 31, 2022, the Riverside County District Attorney's Office filed felony charges against Plaintiff Koron Lowe in People v. Koron Lowe, Riverside County Superior Court Case No. BAF2200094. The initial charges against Plaintiff did not relate to the January 26, 2022 arrest and use of force that is the basis of this lawsuit.

On November 18, 2022, the Riverside County District Attorney's Office filed an amended complaint against Plaintiff for the additional charge of violation of Penal Code section 148(a)(1). Due to Plaintiff's claim of mental incompetence, Plaintiff has not yet been arraigned on that charge to date, but the amended complaint has been filed. A copy of the amended criminal complaint is attached for your review.

Accordingly, because the events that form the basis of this lawsuit are identical to the events that form the basis of the Penal Code section 148(a)(1) criminal charge, a



Dale K. Galipo
Koron Lekeith Lowe v. County of Riverside et al.
June 10, 2024
Page 2

stay of this civil action is warranted under the doctrine of Younger v. Harris, 401 U.S. 37 (1971).

Enclosed please find a draft (1) Stipulation to stay the case pending the resolution of Plaintiff's criminal charges; and (2) [Proposed] Order staying the case pending the resolution of Plaintiff's criminal charges, for your review. If you agree that this matter should be stayed and if the documents meet with your approval, please provide approval to file the documents at your earliest convenience.

If we cannot reach an agreement, I propose that we conducted a Local Rule 7-3 conference call on Wednesday, June 12, 2024 at 11:00 a.m.. I look forward to hearing from you regarding this issue.

Sincerely,

BURKE, WILLIAMS & SORENSEN, LLP

Nathan A. Oyster

NAO
Enclosure

CASH BOND

AGENCY#: 202200493 / HPD

RECOMMENDED

DEF#1 No Bail

DEF#1 **Potential Life Sentence**

DEF#1 In Custody: 01/31/2022

MICHAEL A. HESTRIN

DISTRICT ATTORNEY

SUPERIOR COURT OF CALIFORNIA

COUNTY OF RIVERSIDE

(Banning)

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff,

v.

KORON LOWE
AKA: KORON LE KEITH LOWE
DOB: 08/09/1997
BOOKING#: 2022003378

Defendant.

D.A.#: 373451

CASE NO. BAF2200094

FIRST AMENDED FELONY

COMPLAINT

COUNT 1

The undersigned, under penalty of perjury upon information and belief, declares: That the above named defendant(s) KORON LOWE committed a violation of Penal Code section 187, subdivision (a), a felony, in that on or about January 25, 2022, in the County of Riverside, State of California, the defendant(s) did willfully and unlawfully murder ASASHA HALL, a human being. [25-L/L/D]

It is further alleged that probation may not be granted, nor shall execution and imposition of sentence be suspended because defendant KORON LOWE personally inflicted great bodily injury as defined under Penal Code section 12022.7, during the commission and attempted commission of the above crime within the meaning of Penal Code section 1203.075, subdivision (a). Notwithstanding Penal Code 1385 and any other provision of law this allegation and any finding pursuant to this allegation shall not be stricken by the court.

It is further alleged that in the commission and attempted commission of the above offense the defendant(s) personally and intentionally discharged a firearm and proximately caused great bodily injury and death to another person, not an accomplice, within the meaning of Penal Code sections 12022.53, subdivision (d) and 1192.7, subdivision (c)(8). [25-L]

It is further alleged that probation may not be granted, nor shall execution and imposition of sentence be suspended pursuant to Penal Code section 12022.53 subdivision (g).

COUNT 2

That the above named defendant(s) KORON LOWE committed a violation of Penal Code section 664/187, subdivision (a), a felony, in that on or about January 25, 2022, in the County of Riverside, State of California, the defendant(s) did willfully, unlawfully, and with malice aforethought attempt the willful, deliberate and premeditated murder of KOREY HALL, a human being. [7-L]

It is further alleged that in the commission and attempted commission of the above offense the said defendant(s), KORON LOWE, personally and intentionally discharged a firearm, within the meaning of Penal Code sections 12022.53, subdivision (c) and 1192.7, subdivision (c)(8). [20yr. prison]

It is further alleged that probation may not be granted, nor shall execution and imposition of sentence be suspended pursuant to Penal Code section 12022.53 subdivision (g).

COUNT 3

That the above named defendant(s) KORON LOWE committed a violation of Penal Code section 148, subdivision (a)(1), a misdemeanor, in that on or about January 26, 2022, in the County of Riverside, State of California, the defendant(s) did willfully and unlawfully resist, delay and obstruct a public officer, peace officer, and emergency medical technician in the discharge and attempt to discharge a duty of their office and employment. [1yr.]

MARSY'S LAW

Information contained in the reports being distributed as discovery in this case may contain confidential information protected by Marsy's Law and the amendments to the California

Constitution, Article 1, Section 28. Any victim(s) in any above referenced charge(s) is entitled to be free from intimidation, harassment, and abuse. It may be unlawful for defendant(s), defense counsel, and any other person acting on behalf of the defendant(s) to use any information contained in the reports to locate or harass any victim(s) or the victim(s)'s family or to disclose any information that is otherwise privileged and confidential by law.

I declare under penalty of perjury upon information and belief under the laws of the State of California that the foregoing is true and correct.

Dated: November 18, 2022

MICHAEL A. HESTRIN

District Attorney

By: Joshua R. Degonia

Deputy District Attorney

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2 Paul A. Aguilar (SBN 305624)
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5 Attorneys for Defendant
6 COUNTY OF RIVERSIDE

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION
10

11 KORON L. LOWE,
12 Plaintiff,

13 v.

14 COUNTY OF RIVERSIDE, a legal
15 subdivision of the State of California;
16 CITY OF HEMET, Hemet Police
17 Department Officer DYLAN
18 DETWILER, an individual; and DOES
1 through 10, inclusive,
19 Defendant.

Case No. 5:24-cv-00169-SSS (SHKx)

**STIPULATION TO STAY CASE
PENDING THE RESOLUTION OF
PLAINTIFF'S CRIMINAL
CHARGES**

Judge: Sunshine S. Sykes

19 IT IS HEREBY STIPULATED by and between Plaintiff Koron Lowe
20 (hereinafter "Plaintiff") and Defendants County of Riverside, City of Hemet, and
21 Hemet Police Department Officer Dylan Detwiler (hereinafter "Defendants"),
22 through their respective counsel of record, as follows:

23 1. This lawsuit arises out of the January 26, 2022 arrest of Plaintiff and
24 Plaintiff's contention that the arresting officers used excessive force against him.
25 Plaintiff is pursuing five claims for relief against Defendants pursuant to 42 U.S.C.
26 section 1983.

27 2. On January 31, 2022, the Riverside County District Attorney's Office
28

1 filed felony charges against Plaintiff Koron Lowe in People v. Koron Lowe,
2 Riverside County Superior Court Case No. BAF2200094 (hereinafter “the Criminal
3 Action”).

4 3. On November 18, 2022, the Riverside County District Attorney’s
5 Office filed an amended complaint in the Criminal Action that contains a charge that
6 Plaintiff violated California Penal Code section 148(a)(1) during the January 26,
7 2022 arrest by Defendants. The factual allegations raised in the Criminal Action for
8 the California Penal Code section 148(a)(1) charge relate to the factual allegations
9 raised by Plaintiff Koron Lowe in the instant civil action.

10 4. Plaintiff and Defendants agree that this civil action should be stayed
11 until the conclusion of the Criminal Action.

12 5. A stay of this civil action is warranted under the doctrine of Younger v.
13 Harris, 401 U.S. 37 (1971).

14 6. Accordingly, the parties hereby request that the stay in this case remain
15 in effect until the conclusion of the Criminal Action or the resolution of the
16 California Penal Code section 148(a)(1) charge that is currently part of the Criminal
17 Action.

18 7. The parties agree to advise the Court within 30 days of the conclusion
19 of the Criminal Action or the resolution of the California Penal Code section
20 148(a)(1) charge that is currently part of the Criminal Action. Additionally, the
21 parties agree to submit a Joint Status Report, regarding the status of the Criminal
22 Action, to this Court every 120 days during the pendency of this stay.

1 IT IS SO STIPULATED.

2
3 Dated: June ___, 2024

LAW OFFICES OF DALE K. GALIPO

4
5
6 By: _____

7 Dale K. Galipo
8 Attorneys for Plaintiff
9 KORON LOWE

10 Dated: June ___, 2024

BURKE, WILLIAMS & SORESENSEN, LLP

11
12 By: _____

13 Nathan A. Oyster
14 Attorneys for Defendant
15 COUNTY OF RIVERSIDE

16 Dated: June ___, 2024

MANNING & KASS
ELLROD, RAMIREZ, TRESTER, LLP

17
18
19 By: _____

20 Eugene P. Ramirez
21 Attorneys for Defendant
22 CITY OF HEMET and OFFICER
23 DYLAN DETWILER

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5 Attorneys for Defendant
6 COUNTY OF RIVERSIDE

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION
10

11 KORON L. LOWE,
12 Plaintiff,

13 v.

14 COUNTY OF RIVERSIDE, a legal
15 subdivision of the State of California;
16 CITY OF HEMET, Hemet Police
Department Officer DYLAN
17 DETWILER, an individual; and DOES
1 through 10, inclusive,
18 Defendant.

Case No. 5:24-cv-00169-SSS (SHKx)

**[PROPOSED] ORDER STAYING
CASE PENDING THE
RESOLUTION OF PLAINTIFF'S
CRIMINAL CHARGES**

Judge: Hon. Sunshine S. Sykes

19 Pursuant to the parties' stipulation, **IT IS HEREBY ORDERED:**

20 1. This case is stayed pending the resolution of the criminal charges
21 against Plaintiff in People v. Koron Lowe, Riverside County Superior Court Case
22 No. BAF2200094 (hereinafter "the Criminal Action");

23 2. Within 30 days of the conclusion of the Criminal Action or the
24 resolution of the California Penal Code section 148(a)(1) charge that is currently
25 part of the Criminal Action, the parties shall submit a Joint Report advising the
26 Court that the stay of this matter should be lifted; and

27 3. The parties shall submit a Joint Status Report, regarding the status of
28

1 the Criminal Action, to this Court every 120 days during the pendency of this stay.

2
3 **IT IS SO ORDERED.**

4
5 DATED: _____

Honorable Sunshine S. Sykes
United States District Judge